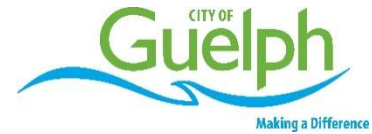


Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-19/21
Location: 12 Glasgow Street North
Hearing Date: March 11, 2021
Owner: Alicia Gillett and Ryan Houle
Agent: N/A
Official Plan Designation: Low Density Residential
Zoning: Residential Single Detached (R.1B) Zone

Request: The applicant is seeking relief from the By-Law requirements for the proposed two-storey addition to the existing detached dwelling to permit:

- a) a minimum left side yard setback of 1.03 metres; and
- b) a minimum right side yard setback of 1.10 metres.

By-Law Requirements: The By-Law requires a minimum side yard setback of 1.5 metres for single detached dwellings of one to two storeys in the R.1B Zone.

Staff Recommendation

Approval with Conditions

Recommended Conditions

Planning Services

1. That the left side yard (south property line) setback of 1.03 metres apply only to the proposed two-storey addition as shown on the public notice sketch.
2. That the right side yard (north property line) setback of 1.10 metres apply only to the proposed two-storey addition as shown on the public notice sketch.

Engineering Services

3. That prior to issuance of building permit, the Owner(s) applies, to the satisfaction of the City Solicitor, for an encroachment agreement and obtains approval for the encroachment of the existing dwelling and the existing porch encroaching within the City's right-of-way.
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Comments

Planning Services

The subject property is designated "Low Density Residential" in the City's Official Plan. The "Low Density Residential" land use designation applies to residential areas within the built-up area of the City and permits a range of housing types including single detached residential dwellings. The requested variances do not conflict with the general intent and purpose of the Official Plan.

The subject property is zoned "Residential Single Detached" (R.1B) according to Zoning By-law (1995)-14864, as amended, which permits single detached dwellings. The applicant's proposed construction of an addition to the rear of the existing dwelling will have a side yard setback on the left side (south property line) of 1.03 metres and a side yard setback on the right side (north property line) of 1.10 metres whereas the by-law requires side yard setbacks of 1.5 metres for both side yards.

Staff note that the site sketch shows the dwelling on the right side of Glasgow Street North but it is actually located on the left side (west) of Glasgow Street North. The true north arrow direction is also incorrect. Staff have confirmed that the variances requested are correct for the requested left (south) and right (north) yards and suggest the north arrow be corrected for the building permit application.

The general intent and purpose of the Zoning By-law in requiring side yard setbacks is to provide adequate separation from buildings on adjacent properties in proportion to the building height, to maintain access and to allow for lot grading and drainage.

The existing dwelling has existing legal non-complying side yard setbacks of 1.03 metres on the left side (south property line) and 1.10 metres on the right side (north property line). It is noted that the proposed addition is an extension of the existing side yard setbacks of the dwelling on the property.

The requested variances for reduced side yard setbacks are considered to meet the general intent and purpose of the Official Plan and Zoning By-law, are considered to be desirable for the appropriate development of the land and are considered to be minor in nature.

Planning staff recommend approval of the application subject to the conditions noted above.

Engineering Services

The applicant is seeking relief from the By-Law requirements for the proposed two-storey addition to the existing detached dwelling to permit a minimum left side yard setback of 1.03 metres; and a minimum right side yard setback of 1.10 metres. Engineering has no concerns with the requested variances; however, during the review of the application, staff discovered that the subject property does not have an encroachment agreement registered on title for the existing dwelling and the front porch; as such, we ask that the condition noted above be imposed.

We agree with recommendations made by the Planning and Building staff.

Building Services

This property is located in the Residential Single Detached (R.1B) Zone. The applicant is proposing to construct a two-storey building addition with an area of 21.18 square metres to the rear of the existing detached dwelling. Variances from Table 5.1.2 of Zoning By-law (1995)-14864, as amended, are being requested.

Building Services does not object to this application to permit the proposed two-storey addition to have a minimum left side yard setback of 1.03 metres and a minimum right side yard setback of 1.10 metres. Building Services supports the conditions recommended by Planning and Engineering.

A building permit will be required prior to any construction, at which time requirements under the Ontario Building Code will be reviewed.

Comments from the Public

None

Contact Information

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